

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 2438 - SB 2781

February 19, 2020

SUMMARY OF BILL: Prohibits state institutions of higher education from discriminating against a student based on the expression of a political viewpoint on a permissible subject.

Requires a student's coursework be evaluated and graded by ordinary, objective academic standards of substance and relevance and against other legitimate academic concerns identified by the institution. Prohibits an institution from penalizing, rewarding or grading a student's coursework based on the political viewpoint expressed by the student.

Establishes that any student discriminated against in the manner described, by the governing board, faculty, or staff of an institution of higher education, has cause of action against the institution for actual damages plus reasonable attorney's fees and court costs and is not required to exhaust any administrative remedies that may be available to the student before pursuing such action in a court of competent jurisdiction.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Prohibiting the state's institutions of higher education from penalizing, rewarding, or discriminating against a student based on the expression of a political viewpoint on a will have no impact on the policies or procedures of the institutions of higher education; therefore, any fiscal impact to state or local government is estimated to be not significant.
- Based on information provided by the Administrative Office of the Courts, any increase in caseloads of the trial courts as a result of this legislation will be absorbed within existing judicial resources.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Krista Lee Carsner, Executive Director

/jjj